

REMARKS

The Office Action mailed October 11, 2005, has been carefully reviewed and the foregoing amendment has been made in response thereto. Claims 2-4, 8, 9, 19, 20, 22, 24, 27, and 29 have been canceled. Claims 1, 5-7, 10-18, 21, 23, 25, 26, and 28 are pending.

The objection to Figure 3 of the drawings under 37 CFR 1.84(p)(5) is respectfully traversed. The Office Action correctly pointed out that the specification inadvertently omitted a mention of step 26 in Figure 3. Appropriate reference to this step has been added to page 8 of the specification, where the function of step 26 was already stated but the actual step number was not originally identified. Based on the correction, the objection to the drawings should be withdrawn.

The rejection of claims 4-6, 8, and 9 under 35 USC 112, second paragraph, as being indefinite is respectfully traversed. The preamble of claim 1 has been amended to provide antecedent basis for the recitation of "data messages." Therefore, claims 1, 5, and 6 are in conformance with 35 USC 112 and the rejection should be withdrawn.

The rejection of original claims 1-5 and 7-27 (now claims 1, 5, 7, 10-18, 21, 23, 25, and 26) under 35 USC 102(e) as being anticipated by Ranalli et al is respectfully traversed. Each independent claim has been amended to provide that the exchange of data or data messages between the caller/requester and the called/desired party are relayed through the central/system server. Thus, claim 1 recites that the desired user sends an accept message in response to the initiation message if the desired user wishes to exchange data messages with the requesting user, and that the server relays the data messages between the users, whereby the data messages are exchanged without the users having direct access to the IP address of each other.

This feature is neither shown nor suggested by Ranalli. In all the embodiments shown in Ranalli, an IP address is reported to a requester in response to a directory lookup and then the requester makes a direct connection to the destination. Figures 6 and 7 show the methods used to obtain a destination IP address. Once the origination obtains a

resolved IP address, it always closes the connection to the database service and then itself processes a call to the destination.

The method of Ranalli is not able to achieve the connection between the requester and the called party under all conditions. For example, if a firewall is in place then a direct connection cannot be made. Therefore, even with knowledge of the other party's IP address, it may be impossible to complete a connection in Ranalli. The claimed invention, however, avoids that problem by relaying data messages through the central server. An invention is anticipated by a prior art reference under 35 USC §102 only if the prior art reference teaches every aspect of the claimed invention (MPEP §706.02). Since Ranalli fails to teach this aspect of the invention, claims 1, 5, 7, 10-18, 21, 23, 25, and 26 are allowable.

The rejection of claims 6 and 28 under 35 USC 103(a) as being unpatentable over Ranalli et al in view of Tompkins et al is respectfully traversed. Claims 6 and 28 likewise require data messages (e.g., video) to be relayed (i.e., transferred) through the system server. This feature is neither shown nor suggested by either cited reference, and claims 6 and 28 are therefore allowable.

In view of the foregoing, claims 1, 5-7, 10-18, 21, 23, 25, 26, and 28 are now in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,



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